

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THOMAS HARDY,

Plaintiff,

- against -

11-CV-4303 (CS)

ADAM ROSE RETIREMENT PLAN, and ADAM ROSE,  
INDIVIDUALLY, as Plan Administrator,

**ORDER**

Defendants.

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Seibel, J.

The parties have submitted cross-motions for summary judgment. (Docs. 19, 27.) With their motions, the parties, pursuant to Local Civil Rule 56.1(a), have submitted Rule 56.1 statements. (Docs. 32, 33.) Plaintiff, however, in opposing Defendants' motion, has failed to submit a responsive statement pursuant to Local Civil Rule 56.1(b). Furthermore, although Defendants have submitted a responsive statement, (Doc. 34), they have failed to abide my Individual Practices, which require that “[o]pposing parties must reproduce each entry in the moving party's Rule 56.1 Statement, and set out the opposing party's response directly beneath.”

The parties are ordered to electronically file, by the close of business on Monday, April 15, 2013, responsive Rule 56.1 statements that comply with both the Local Civil Rules and my Individual Practices. Failure to do so may result in the opposing party's material facts being deemed admitted for purposes of the pending motions.

**SO ORDERED.**

Dated: April 9, 2013  
White Plains, New York



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CATHY SEIBEL, U.S.D.J.